

REMARKS

This application has been reviewed in light of the Office action dated November 3, 2004. Claims 1-18 are pending in the application. No new matter has been added. The Examiner's reconsideration of the rejection in view of the amendment and the following remarks is respectfully requested.

By the office action, claims 1-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,240,513 to Friedman et al. (hereinafter Friedman) in view of U.S. Patent No. 6,370,396 to Meiksin et al.

The Applicant respectfully disagrees with the rejection for at least the reasons that follow.

Independent claims 1 and 12 of the present invention recite, *inter alia*, a method for creating a secure powerline modem network including transmitting a private key individually to each of the plurality of powerline modem devices to be secured in a network such that each powerline modem device receives the private key in isolation of the network, each of the plurality of powerline modem devices store the private key... .

The private key is received in isolation of the network (powerline network) and is transmitted individually to each of a plurality of modem devices. The presently cited references alone or in combination fail to disclose or suggest these features.

Friedman is directed to a system that provides a security system for online communications over a telephone network. As the Examiner states, Friedman does not mention a powerline network. In addition, the system of Friedman provides four keys:

- 1) static private key
- 2) dynamic private key
- 3) static public key
- 2) dynamic public key

The static keys are unique to each device and are therefore not transmitted individually to each of the plurality of powerline modem devices to be secured in a network such that each powerline modem device receives the private key in isolation of the network. Each device has its own permanent private key, which is unique to each of the devices. The more devices, the more private keys are needed. In Friedman, the same private key is not provided to a plurality of devices, it is only known to that individual device (col. 10 lines 12-14 in Friedman). Further, the private keys in Friedman are calculated from information transmitted over the telephone network (not in isolation of the network). See Friedman FIGS. 4A and 4B which shows a static memory 412 and dynamic memory 416 for storing the information related to the private key and public key for a given device. The seed for the private key is determined from the information stored in these databases (412 and 416, see Friedman FIG. 5 and, col. 10, lines 26-end).

In addition, the public keys (not private keys) are exchanged between two network security devices and are therefore also transmitted over the network. These public keys are used to calculate a secret key which is then, no longer transmitted.

Meiksin fails to cure the deficiencies of Friedman. Meiksin fails to disclose or suggest at least transmitting a private key individually to each of the plurality of powerline modem devices to be secured in a network such that each powerline modem device receives the private key in isolation of the network, each of the plurality of powerline modem devices store the private key. In fact, Meiksin fails to mention any security system for a powerline network, and is focused mainly on providing facility-wide communications mostly using RF transmissions.

The cited combination fails to disclose or suggest, as presented in claims 1 and 12, *inter alia*, transmitting a private key individually to each of the plurality of powerline modem devices to be secured in a network such that each powerline modem device receives the private key in isolation of the network, each of the plurality of powerline modem devices store the private key... .

It is therefore respectfully submitted that the cited combination taken as a whole does not render the presently claimed invention obvious for at least the reasons stated. Claims 1-18 are believed to be in condition for allowance. Reconsideration of the rejection is earnestly solicited.

Reconsideration of the dependent claims is also respectfully requested. For example, claim 5 (see also claim 12) recites, *inter alia*, the step of connecting each of the plurality of the powerline modem devices to a portable security device which transmits the private key directly to the powerline modem device in isolation from other powerline modem devices. Such a portable security device is not disclosed or suggested by the cited references, singly or in combination.

In view of the foregoing amendments and remarks, it is respectfully submitted that all the claims now pending in the application are in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's representatives Deposit Account No. 07-0832.

Respectfully submitted,

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February 2, 2005

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